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A SHORT Narrative and Justification OF THE PROCEEDINGS OF THE COMMITTEE

Appointed by the

ADVENTURERS, to prosecute the DISCOVERY of the PASSAGE

TO THE

WESTERN OCEAN of *AMERICA*;

And to Open and Extend the TRADE, and Settle the Countries beyond *Hudson's Bay*.

With an APOLOGY for their postponing at present their intended Application to PARLIAMENT.

To which are annexed,

The REPORT and PETITIONS referred to in the NARRATIVE;

And the PAPERS prepared to be delivered to the LORDS and COMMONS, upon presenting the PETITION, as the Foundation for a PARLIAMENTARY ENQUIRY, and the Facts they were prepared to support:

Now laid before the PUBLICK, for their future Consideration.

LONDON:
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THE

PREFACE.

AN Application to Parliament by the late Adventurers and many conſiderable Merchants in the moſt conſiderable Trading Ports in Britain, *for opening the Trade into* Hudſons Bay, *and extending it through the North Weſtern Continent of* America, *to enable them by that means to have perfected the Diſcovery of the Paſſage to the* South-Sea, *without any Expence to the Publick, having been prepared, and expected by great Numbers who were willing to proſecute that Diſcovery, and extend the* Britiſh *Trade; but meeting with an unforeſeen Obſtruction, from whence it was leaſt expected, the Adventurers and Merchants have thought it prudent to poſtpone it. The following Papers having been publiſhed to give the Lords and Commons a ſhort View of the Trade to* Hudſon's Bay, *as it is at preſent managed, and what Improvements might have been made to it, and Reaſons from the late Diſcoveries to believe there is a Navigable Paſſage to the* South-Sea; *it has been thought adviſable to lay them before the*

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Publick, and at the ſame Time what Steps had been taken by the late Adventurers, and how far they had proceeded and prepared Matters, and were ready to make good the Allegations of their intended Petition, with their Reaſon for poſtponing it; as well for their Juſtification, as of the Perſon who had propoſed and promoted the Diſcovery, that they have done all they could towards it, and that if the Diſcovery and Benefits ariſing from extending the Trade is delayed, that neither the Adventurers nor he can be blamed for it.

A SHORT

A SHORT
NARRATIVE, &c.

A Reward of Twenty Thouſand Pounds having been granted by Parliament in 1745. upon the Petition of ſeveral Merchants and others who propoſed becoming Adventurers for finding out a Navigable Paſſage to the Weſtern and Southern Ocean of *America*, to ſuch of his Majeſty's Subjects who ſhould perfect the ſame; a Subſcription was immediately opened under ſeveral Articles agreed upon, and a Committee named in it, who were to be afterwards choſen Annually, in Order to make up a Hundred Subſcriptions at 100 l. *per* Share, with a Power in the Committee, to call upon the Subſcribers for 20 *per Cent*, if found neceſſary, but no more: but it being too late to fit out Ships that Summer, the Subſcription was continued open until next Spring, 1746. and only 50 *per Cent*. depoſited, which was laid out in *Eaſt India* Bonds. At a general Meeting then ſummoned, the ſame Committee were continued, and though only 70 Shares were ſubſcribed of the 100 propoſed, the Committee were empowered to proceed, having a Power to call

for 20 *per Cent.* more, in Caſe no more Subſcriptions were made.

Upon which Two Ships were fitted out under the Command of the Captains *Moor* and *Smith*, the only Two who could be got, who were acquainted with the Navigation into *Hudſon's Bay*; and upon the Return of the Ships in *October* 1747. the Adventurers finding themſelves defeated in their Expectations, by the Timidity, ill Conduct, or bad Inclinations of ſome of the Commanders and Council, and a greater Sum expended, after diſcharging the Seamen, than the Original Subſcription amounted to, which the Committee were obliged to pay, as they had no further legal Claim upon the Subſcribers; and at the ſame Time having much ſtronger hopes of finding out the Paſſage, from the ſeveral Inlets entered into (though not thoroughly ſearched) or ſeen, though paſſed by and neglected, as well as from other Obſervations made from the Tides, Currents, Whales, *&c.* but finding that before the Diſcovery could be perfected, it muſt be attended with a more conſiderable Expence, above half the Premium to be given, being expended upon the laſt Attempt. As they were adviſed by Council, that the excluſive Trade claimed by the *Hudſon's Bay* Company, was an Illegal Monopoly, and that their Grant of Lands was originally Illegal, and an Impoſition upon the Crown, by its having no Limits North, South nor Weſt, or was become voidable by the Non-uſer or Abuſer of their Grant. Upon theſe Accounts thinking

ing they had at leaſt as much Merit to plead as the Company had, when they obtained their Grant; as having expended much more Money upon their Diſcovery, than the Company had done when they petitioned for their Charter.

The Committee, on behalf of the Adventurers, thought it adviſable to apply by Petition to his Majeſty to be incorporated, and to be empowered to Trade as a Company, and to take up ſuch Lands in the Bay as were not occupyed by the Company, upon Condition of their ſettling ſuch Lands in a limited Time, and proſecuting the Diſcovery of the Paſſage. Upon this they wrote to the ſeveral Adventurers, purſuant to one of the Articles ſubſcribed, to know who were willing to pay their Proportion of the Paſt, and contribute to the future Expence of the Application for a Charter: which moſt part agreed to, but the others quit.

The Petition being prepared and given in to his Majeſty in Council, was referred by them to a Committee of Council, and by the Committee was referred to the Attorney and Solicitor General, and was there oppoſed by the *Hudſon's* Bay Company; and after ſeveral Hearings, the Attorney and Solicitor General made their Report, which with the Petition recited in it, is annexed to this Paper.

It appears by this Report, that there is nothing in Favour of the Company's Title to their Land and excluſive Trade, but a long undiſturbed Poſſeſſion, which they adviſed his Majeſty not to declare againſt the Validity of it, until a Judgment ſhould be obtained in a Court

a Court of Juſtice to warrant it, allowing at the ſame Time that the Company have no Right to deprive the Merchants or Adventurers of the Uſe and Protection of their Rivers, Ports and Factories.

But as to the Non-uſer or Abuſer of the Company, the Charge upon that Head, from the ſeveral Affidavits annexed to their Report, they thought either not ſufficiently ſupported in point of Fact, or in a great Meaſure accounted for from the Nature and Circumſtances of the Caſe.

From this Part of the Report, it is neceſſary to ſhew the Reaſon of its being mentioned ſo in the Report.

Upon the Petition being referred, ſeveral Affidavits were made on behalf of the Petition to ſupport the Allegations of it, which were then thought ſufficient, and filed early in the proper Office. The *Hudſon's* Bay-Company, to prevent any Ships being ſent out upon the Diſcovery laſt Summer, delayed making any Affidavits in their Juſtification, for many Weeks: and the Petitioners being tired out with theſe Delays, preſſed for a Hearing *Ex Parte*, and then the Evening before the Hearing, the Company filed ſeveral Affidavits to endeavour to invalidate thoſe given in againſt them, moſtly Evaſive or Illuſory, and ſome of them apparently contrary to Truth *.

The

* The Affidavits to ſupport the Petition were made by *John Heather* Carpenter, who had built *Henly-Houſe* above *Albenny*

the Petitioners thinking it imprudent to delay the Hearing, there was no Time to get a Sight or

Albany, *Chriſtopher Baniſter* Gun-maker, *Robert Griffin* Goldſmith, *Edward Thomſon* and *Jacob Taylor* Surgeons, who had all reſided ſeveral Years at the ſeveral Factories in *Hudſon's* Bay, and were all filed in *February*, and upon Notice given, the Company's Solicitor immediately took Copies of them; but no Affidavits having been given in by the Company, the Petitioners apprehending affected delays, they applied to the Attorney and Solicitor General for an Attendance, and on the 21ſt of *March* they appointed the *Monday* following for an Attendance of all Parties. This was done to oblige the Company to file their Affidavits; their Solicitor then declared they had a Number of Affidavits to file, which he could not get ready ſo ſoon, and deſired the hearing to be put off, until after the Holydays, and he would file them the Week before *Eaſter*, in which they were indulged, and a Summons was iſſued for a Hearing the 20th of *April*. Affidavits were accordingly prepared, and being called upon before the Holydays, they ſaid they would file none, but would try their Fate upon the Validity of their Charter, and reſerve them until after the Hearing, and then file them if neceſſary, but afterwards with a View of poſtponing the Hearing, or of preventing our anſwering to them in Time, as afterwards appeared, they filed them the Evening before the Hearing.

As Objections were made by their Council to the Capacity of our Witneſſes, and boaſting of the Superior Knowledge and Capacity of the Company's Witneſſes, it may be proper to mention theirs, to ſhew their Capacity, as alſo the Names of thoſe for the Petitioners, who gave in Affidavits to ſupport the firſt Affidavits, and to ſhew the Evaſiveneſs or Falſity of thoſe given in on behalf of the Company to juſtify their Conduct under their Charter.

Their Affidavits were made by *Joſeph Iſbeſter*, who had been taken a Lad from the *Orknies*, and bound an Apprentice to Captain *Middleton*, and by his Intereſt was afterwards made Maſter of a ſmall Sloop, and from that made Governor of *Albany*.

or Copy of their Affidavits: but as the Hearing and Reply took up ſeveral Days, many more Affidavits were filed on behalf of the Petitioners, to ſhew the Inconſiſtency, Falſeneſs and Evaſiveneſs of the Affidavits made on behalf of the Company; but upon the Petitioners Reply to the Company's Anſwer, the

By *Thomas White*, who went over a foremaſt Man, and was afterwards made Governor of *York* Fort; by *George Houy* who was bred a Gardener, afterwards made Governor of Mooſe Factory; and by *Richard Ford* a Carpenter, who had rebuilt *York* Fort. Theſe only had reſided in the Bay, and by being made Gentlemen by the Company, had more Superior Knowledge than our Evidence. To theſe were added the Affidavits of *George Spurrell*, *John* and *Jonathan Fowler*, and *William Coates*; who were then the Captains of their four Trading Ships; and by their ſeldom ſtaying above a Fortnight at the Factories in the Bay, could know very little of the Climate or Country within Land; the Others were only by *Charles Hay* their Secretary, *Henry Jefferies* their Accomptant, *Henry Sparling*, *Anthony Lutkins*, and *Nicholas Lewis*, who were Merchants and Furriers in *London*, and were never in the Bay, but related only to their Furs and Trade, and *Hay*'s Affidavit about their Diſcoveries, which was all evaſive and indeterminate.

Theſe in every material Article were anſwered by the Affidavits of *Arthur Dobbs* Eſq; Capt. *William Moor*, Capt. *Francis Smith*, *Henry Ellis* Gentleman and Draftſman, *Jeremiah Weſtal* Mate, *Joſeph Robſon* Maſon and Surveyor, and *John Greenway* Gunſmith, with further Affidavits by *Arthur Dobbs*, *William Moor*, *John Heather*, and *Chriſtopher Baniſter*; none of which were allowed to be read, except that of *Ellis*, relative to the Diſcovery. The Affidavits of *Sparling*, who ſwore Ermines and Squirrels ſkins were of ſmall Value, and *Lutkins* and *Lewis*, who ſwore they were not worth a Penny *per* Dozen, being ſo notorious a Falſity, was thought not worth anſwering.

Affi-

Affidavits were objected to, as given in out of Time; as by the Courſe of proceeding they could not Reply to them, and only one was allowed to be read relative to the Diſcovery of the Paſſage, which was made by *Ellis*. So that theſe Affidavits never having been read before, the Attorney and Solicitor could not appear or be annexed to their Report, or induce them to alter that Part of their Report, as it muſt have done, had they appeared in Evidence before them.

Upon this Report as the Petitioners could not proceed or obtain a Charter to enable them to proſecute the Diſcovery, and anſwer the other Purpoſes propoſed in their Petition, without entering into a dilatory and expenſive Suit by Scire Facias, or Quo Warranto, which they were adviſed alſo, muſt be carried on by a Proſecution from the Crown.

The Petitioners were adviſed that it would be the ſpeedieſt, leaſt expenſive, and moſt effectual Method, to petition the Houſe of Commons to take the *Hudſon's* Bay Charter and Trade into their Conſideration, and to open the Trade to the Bay, and to incorporate the Petitioners and others their Aſſociates under proper Regulations; and accordingly a Petition was prepared, in which the Merchants of the City of *Glaſgow* and Town of *Liverpool* joined with the Merchants of *London* and other Adventurers, and a Draught of it was ſent to *Briſtol* for their Concurrence, as it was intended for the general Benefit of the *Britiſh* Trade,

as may appear from the Petition prepared hereunto annexed.

This being all the late Adventurers and the Merchants in the moſt conſiderable Trading Ports, who had agreed to join in the Petition could do, when it was prepared, before they would ſign it, they thought it proper to ſhew it to ſome Perſons of Capacity and Knowledge in Trade, and of Weight in Parliament, for their Approbation and Concurrence, and if approved of, to have their Support to it in the Houſe, if the Allegations were proved; but upon their Application to a Gentleman of known Abilities, and extenſive Knowledge in Trade, whoſe eſtabliſhed Character had been to extend all Trade; and lay open all excluſive illegal Monopolies in Trade, upon whom they depended for his Countenance and Concurrence in ſo laudable an Application, as they eſteemed it, they were ſurprized and concerned to find he was in Opinion againſt it, and under a Prepoſſeſſion in favour of the *Hudſon's* Bay Company, that they had done their utmoſt in extending the Trade, that it could not be further extended, that by opening the Trade, or others embarking in it, might ruin their Trade, and the Whole be loſt, and that it would be hard to attack the Company's property. Whether this Opinion was well founded, would have appeared upon the Proofs of the Allegations of the Petition, had it been preferred. However, the principal Merchants who were deſirous to have preſented the Petition, out of Deference to his Judgment, and not

not being able to ſupport a Petition, which upon his Oppoſition, ſupported by the *Hudſon's* Bay Company, muſt have been litigated in every Step through both Houſes of Parliament, have thought it prudent to drop it at this Time, until this Gentleman, and others who have a Deference for his Judgment in Affairs of Trade, may after a more thorough Conſideration, think, as the trading Part of the Nation do, that it will be a Publick Benefit to ſettle thoſe Countries, extend the Trade there, and by that means perfect the Diſcovery of the ſo much deſired Paſſage. And the Perſon who had promoted this Diſcovery, after it had been ſo long dormant, to which he had applied his Thoughts and Time for eighteen Years, in Order to improve the Wealth, Trade, and Navigation of *Britain*, hopes it won't be taken amiſs of him, that after ſo many Years Trouble and Attendance, at a great Expence to his Private Fortune, and Loſs to his Family; that he ſhould hereafter retire, and leave the Proſecution of the Diſcovery of the Paſſage and Extenſion of the *Britiſh* Trade to ſome more happy Adventurer; having this Conſolation, that he has done the utmoſt he could for the Publick Good, and makes no doubt but a little Time will ſhew, whether thoſe who have promoted, or thoſe who oppoſe the Proſecution of the Plan here laid down, have judged beſt for the good of *Britain*. .However, from this Purſuit, ſo far is determined and known, that all the Merchants of *Britain* have an equal Right to Trade in

Hudſon's

Hudſon's Bay as the Company, and to have the Uſe of their Rivers and Ports; and that a permanent Reward is fixed, to any of his Majeſty's Subjects who ſhall hereafter perfect the Diſcovery of the deſired Paſſage. And he hopes that ſome other private *Britiſh* Adventurers will ſoon raiſe their Fortunes and Fame, by perfecting the Diſcovery of it; leſt by our neglect, other Nations may not only reap the Benefit of the Diſcovery, but alſo the Honour of having perfected it to the eternal Reproach of this Kingdom.

To

To the RIGHT HONOURABLE

The Lords of a Committee of His MAJESTY's moſt Honourable Privy Council.

May it pleaſe your LORDSHIPS,

IN humble Obedience to your Lordſhip's Order in Council of the 4th of *February* laſt, repreſenting, That by an Order in Council, bearing Date the 26th Day of *January* laſt, there was referred to your Lordſhips, the humble Petition of *Arthur Dobbs*, Eſq; and the reſt of the Committee, appointed by the Subſcribers, for finding out a Paſſage to the Weſtern and Southern Ocean of *America*, for themſelves and the other Adventurers; and that your Lordſhips having taken the ſaid Petition into Conſideration, were pleaſed to refer the ſame to us, to conſider thereof, and report our Opinion thereupon to your Lordſhips.

Which Petition ſet forth, that the Petitioners in the Year 1746 did, at their own Expence and Charges, fit out two Ships, upon an Expedition in ſearch of the North-weſt Paſſage to the Weſtern and Southern Ocean of *America*, in order to extend the Trade, and increaſe the Wealth and Power of *Great Britain*, by finding out new Countries and Nations to trade with, as well in the Great North-

weſtern Continent of *America* beyond *Hudſon's Bay*, as in Countries ſtill further diſtant, and hitherto unknown to the *Europeans*; and alſo to many large and populous Iſlands in that Great Weſtern Ocean.

That the Petitioners by means of the ſaid Expedition have made ſeveral Diſcoveries of Bays, Inlets, and Coaſts before unknown, and have a reaſonable Proſpect of finding a Paſſage to the Southern Ocean by ſea, although the Diſcovery may not be perfected without repeated Trials, upon account of the Difficulty and Danger of Searching different unknown Inlets and Streights, and ſailing through new Seas, and of procuring Men of Reſolution, Capacity, and Integrity to purſue it effectually.

That the Petitioners find, that the Reward of 20000 *l.* given by Parliament is not adequate to the Expence the Adventurers muſt be at to perfect the Diſcovery, they having already expended above half that Sum in their late Expedition.

That the Petitioners find, that upon a former Attempt, his Majeſty's Predeceſſor King *Charles* the Second, as a ſuitable Encouragement, granted a Royal Charter to the Governor and Company of Adventurers trading to *Hudſon's Bay*, making them a Body Corporate for ever, upon their Petition ſetting forth, that they had at their own proper Coſts and Charges, made an Expedition to diſcover a new Paſſage into the South Sea, and for finding ſome Trade of Furrs, Mines, and other Commodities

Commodities, and gave them the ſole Property of all the Lands they ſhould diſcover, together with an excluſive Trade to all the Countries within *Hudſon's Streights*, not in Poſſeſſion of any of his Subjects, or of any other Chriſtian Power, with the Royalties of Mines, Minerals, Gems, and Royal Fiſh, to enable them to find out the Paſſage, extend the Trade, and to plant the Countries they ſhould diſcover, paying two Elks and two black Beavers whenever, and as often as his Majeſty and his Succeſſors ſhould enter their Territories, granting to them the greateſt privileges, as Lords Proprietors, ſaving only their Faith and Allegiance to the Crown of *Great Britain.*

The Petitioners beg leave to obſerve, that the ſaid Company have not ſince effectually, or in earneſt ſearched for the ſaid Paſſage, but have rather endeavoured to conceal the ſame, and to obſtruct the Diſcovery thereof by others; nor have they made any new Diſcovery either upon the Coaſt, or in the Inland Countries adjoining to *Hudſon's Bay*, ſince the Grant of their Charter, nor have they taken Poſſeſſion of, or occupied any of the Lands granted to them, or extended their Trade into the Inland Parts of the adjoining Continent, nor made any Plantations or Settlements, except four Factories and one ſmall trading Houſe, in all which they have maintained in Time of Peace about one hundred and twenty Perſons, Servants to the Company; nor have they allowed any other of his Majeſty's Sub-

jects to plant, ſettle, or trade in any of the Countries adjoining to the *Bay*, granted to them by their Charter; yet have connived at, or allowed the *French* to encroach, ſettle and trade within their Limits, on the ſouth Side of the *Bay*, to the great Detriment and Loſs of *Great Britain*.

That the Petitioners being deſirous to purſue the Diſcovery of the Paſſage to the Southern Ocean of *America*, by Land or by Water, will engage not only to proſecute the ſame until it be fully diſcovered, as far as practicable, but alſo to ſettle and improve the Land in all the Countries on that northern Continent, by making Alliances with, and civilizing the Natives, and incorporating with them, and by that Means lay a Foundation for their becoming Chriſtians, and induſtrious Subjects of his Majeſty; and alſo extend the *Britiſh* Trade into the Heart of that northern Continent, around the *Bay*, and into ſuch Countries as they may diſcover beyond it in the Weſtern Ocean, and to uſe their utmoſt Endeavours to prevent the *French* Incroachments upon the *Britiſh* Rights and Trade in that Continent.

In order therefore to enable the Petitioners to proſecute and bring to Perfection ſo valuable a Diſcovery, and to civilize the Natives, and ſettle the Lands without loſs of Time, and that the Trade and Settlement of ſuch extenſive Countries may not be longer delayed, or perhaps for ever loſt to his Majeſty, and his

his Succeſſors, by the Incroachments of the *French*,

The Petitioners moſt humbly pray, that his Majeſty would be graciouſly pleaſed to incorporate the Petitioners, and the other Subſcribers for finding out the ſaid Paſſage, or ſuch of them, and ſuch other Perſons as they ſhall engage in the ſaid Undertaking, and their Succeſſors for ever, and grant to them the Property of all the Lands they ſhall diſcover, ſettle and plant, in a limited Time in the northern Continent of *America*, adjoining to *Hudſon's Bay* and Streights, not already occupied and ſettled by the preſent Company of Adventurers trading to *Hudſon's Bay*, with the like Privileges and Royalties as were granted to the ſaid Company. And that his Majeſty would be pleaſed to grant unto the Petitioners (during the Infancy of their Settlements) an excluſive Trade for ſuch a Term of Years as may be granted to Diſcoverers of new Arts and Trade, to all ſuch Countries into which they ſhall extend their Trade by Land or by Water, not already granted by Act of Parliament to other Companies, reſerving to the preſent Company of Adventurers trading to *Hudſon's Bay*, all the Forts, Factories, and Settlements they at preſent occupy and poſſeſs, with a reaſonable Diſtrict round each of their Poſſeſſions and Factories; or that his Majeſty would be pleaſed to grant the Petitioners ſuch other Relief and Encouragement, as to his Majeſty in his great Wiſdom ſhould ſeem meet.

We have taken the ſame into Conſideration and have been attended by Council both in behalf of the Petitioners and the *Hudſon's Bay* Company, who oppoſed the Petition as it interferes with their Charter.

The Petitioners inſiſted on two general Things.

That the Company's Charter was either void in its original Creation, or became forfeited by the Company's Conduct under it.

That the Petitioners have by their late Attempts to diſcover the North-weſt Paſſage, and Navigation in thoſe Parts, merited the Favour petitioned for.

As to the firſt, the Petitioners endeavoured to ſhew that the Grant of the Country and Territories included in the Company's Charter was void, for the Uncertainty of its Extent being bounded by no Limits of Mountains, Rivers, Seas, Latitude or Longitude; and that the Grant of the excluſive Trade within ſuch Limits as theſe were, was a Monopoly, and void on that Account.

With reſpect to both theſe, conſidering how long the Company have enjoyed and acted under this Charter, without Interruption or Encroachment, we cannot think it adviſable for his Majeſty to make any Expreſs or implied Declaration againſt the Validity of it, until there has been ſome Judgment of a Court of Juſtice to warrant it; and the rather, becauſe if the Charter is void in either reſpect, there is nothing to hinder the Petitioners from exerciſing the ſame Trade which the Company

Company now carries on; and the Petitioners own Grant, if obtained, will itſelf be liable, in a great Degree, to the ſame Objection.

As to the ſuppoſed forfeiture of the Company's Charter, by Non-uſer or Abuſer, the Charge upon that Head is of ſeveral Sorts, *viz.* That they have not diſcovered, nor ſufficiently attempted to diſcover the North-weſt Paſſage into the South-Seas or Weſtern Ocean. ——That they have not extended their Settlements through the Limits of their Charter.

That they have deſignedly confined their Trade to a very narrow Compaſs, and have for that Purpoſe abuſed the *Indians*, neglected their own Forts, ill treated their own Servants, and encouraged the *French*.

But on Conſideration of all the Evidence laid before us, by many Affidavits on both Sides (herewith incloſed) we think theſe Charges are either not ſufficiently ſupported in Point of Fact, or in a greatMeaſure accounted for from the Nature and Circumſtances of the Caſe.

As to the Petitioners Merit, it conſiſts in the late Attempts made to diſcover the ſame Paſſage, which however as yet unſucceſsful in the main Point, may probably be of Uſe hereafter in that Diſcovery, if it ſhould ever be made, or in opening ſome Trade or other, if any ſhould hereafter be found practicable, and have certainly coſt the Petitioners conſiderable Sums of Money.

But as the Grant propoſed is not neceſſary, in order to proſecute any future Attempt of the like

like Kind, and the Charter of the *Hudſon's Bay* Company, does not prohibit the Petitioners from the Uſe of any of the Ports, Rivers, or Seas included in their Charter, or deprive them of the Protection of the preſent Settlements there, we humbly ſubmit to your Lordſhip's Conſideration, whether it will be proper at preſent to grant a Charter to the Petitioners, which muſt neceſſarily break in upon that of the *Hudſon's Bay* Company, and may occaſion great Confuſion by the interfering Intereſts of two Companies ſetting up the ſame Trade, againſt each other in the ſame Parts, under the like excluſive Charters.

All which is humbly ſubmitted to your Lordſhips Conſideration.

D. RYDER,
W. MURRAY.

10th *Auguſt*, 1748.

To

To the HONOURABLE

The COMMONS of *Great Britain* in Parliament aſſembled,

The humble Petition of the under-written Merchants and others, late Adventurers for finding a navigable Paſſage through Hudſon's *Streights to the South Sea or Weſtern Ocean, and for extending the* Britiſh *Trade into, and through that vaſt Tract of Country, lying between* Hudſon's *Streights and the ſaid Ocean, on behalf of themſelves, and other Merchants and Inhabitants of the Cities of* London, Briſtol *and* Glaſgow, *and the Town of* Liverpool.

SHEWETH,

THAT his Majeſty hath an undoubted Right to all the Countries of North *America*, from the eaſt Coaſt of *Labrador* north of *Newfoundland*, to the utmoſt Lands to the weſtward of *Hudſon's Bay*, not only on account of the firſt Diſcovery of that Country having been made by *Britiſh* Subjects employed by his Majeſties Predeceſſors, but alſo by ſolemn Treaties, particularly the Treaty of *Utrecht*, confirmed by ſubſequent Treaties.

That

That the Trade to theſe Countries for Furs, Peltry, Fiſh, Whale-fin, and Oil; as well as for Minerals, Pitch, Tar, and other valuable Commodities; in return for the Woolen, Iron, and other Manufactures of this Kingdom, may be greatly increaſed and improved, if the Country was ſettled, and the Trade extended into the inland Parts, by the Rivers and Lakes, by civilizing and converting the Natives, making Alliance with them, and allowing them an equitable and reaſonable Profit from the Trade, and by making Diſcoveries over Land to the weſtern *American* Ocean, and ſtill greater Improvements may be made, and more expeditiouſly, if a navigable Paſſage ſhould be found to that Ocean, of which there is ſtill the greateſt Proſpect from the Openings ſeen, and other Obſervations made, in the laſt Attempt for that Purpoſe.

That ſeveral of your Petitioners, at a very conſiderable Expence, for the publick Ends and Purpoſes aforeſaid, and upon the Encouragement given by Parliament, became Adventurers to diſcover the ſaid Paſſage; and in this Attempt made Diſcoveries of ſeveral Bays, Inlets, or Streights, never known or ſearched into before, from which, and the Obſervations ariſing therefrom, they have the greateſt Hopes of there being a navigable Paſſage through theſe Openings, or ſome of them, to the weſtern Ocean.

That your Petitioners might have made ſtill greater Diſcoveries, very probably, to the

finding the Paſſage itſelf, and thereby have enlarged the *Britiſh* Trade and Navigation, had they not been greatly diſcouraged and obſtructed therein, by the Company of Adventurers trading into *Hudſon's Bay*, who inſtead of giving them the Protection and Aſſiſtance they might have expected took all Meaſures to diſcourage and prevent their entering into their Rivers, and to hinder them from getting proper Refreſhments from the Natives when wintering there, the ſaid Company endeavouring to exclude all other his Majeſty's Subjects from thoſe Seas, Rivers, and Countries; and in Pretence of an extraordinary Charter, granted to them by King *Charles* the Second, which if valid, gives them a Property for ever in all theſe Countries, Seas, and Rivers, and alſo an Excluſive Trade to all Countries beyond the Entrance of *Hudſon's Streights*; but this Charter both with regard to the Property in the Lands, and alſo the excluſive Trade, is, as your Petitioners are adviſed and apprehend, illegal in its original Creation, the Grant of the Soil having no Limits or Bounds to the North, South, or Weſt, and the Grant of Trade being excluſive, and to continue for ever, which without the Aid of an Act of Parliament, is, as your Petitioners are adviſed, a Monopoly and contrary to Law.

That if the ſaid Grant was originally valid (which your Petitioners moſt humbly apprehend it was not) yet the ſaid Company have not in any ſort complied with, or fulfilled the Intention of the ſaid Charter, which was

granted to them on Expreſs Condition, that they ſhould ſettle in thoſe Countries, make a Plantation or Colony there, ſimilar to the other Colonies of *America*, that they ſhould uſe their utmoſt Endeavours to find out a Paſſage to the weſtern or ſouthern Ocean of *America*, and to extend the Trade of *Great Britain*; and though theſe were the three great and principal Ends and Views of the Charter, yet the Company have not complied with any one of them: For it is a Fact notorious, that they have not ſettled, or ſo much as attempted to ſettle any Plantation or Colony, in any Part of that vaſt Tract of Land; and it is equally certain, that they have not only not found out a North-weſt Paſſage, nor determined by any Searches they have made, whether there be ſuch a Paſſage or not, nor uſed the proper Means for that Purpoſe themſelves, nor encouraged others to do it, but ſo far from it have, contrary to the expreſs Intention of their Charter, done all in their Power to prevent ſuch Diſcovery from being made by others, and for that Purpoſe have made uſe of the Powers given them by their Charter, to defeat the great Purpoſes for which it was principally given. And your Petitioners moſt humbly averr, that in two Years they have gone further and done more at their own private Expence, towards this important Diſcovery, than the Company have done in the great Length of Time ſince the granting of their Charter, and with the Stock of the Company, the few Attempts they have made being colourable

and

and eluſory only, and to ſave Appearances, as will evidently appear, when they are called upon to produce the Inſtructions from time to time given on this Head to, and the Journals and Accounts of the Captains they have employed in the Service, and the Charts and Plans they have from time to time diſcovered, and inſtead of enlarging and increaſing the Trade of the Kingdom, they have ſo far reſtrained and confined it, that there is not a ſingle Merchant in *London* of any Conſideration, that does not export annually Commodities to a much larger Amount, than the ſaid Company, whoſe annual Exports does not exceed *communibus annis* 4000 *l.* a year, ſo that they have in no reſpect anſwered, but on the contrary done all in their Power to defeat the great and principal Deſign of the Royal Grant.

That your Petitioners have the greateſt Reaſon to believe, that if thoſe Countries were ſettled, and the Trade under proper Regulations, laid open for the general Good of the Nation, that it might be greatly extended and increaſed, and great Quantities of Woolen, Iron, and other Manufactures, and valuable Produce of this Kingdom be annually exported for very valuable Returns, thoſe Countries being very capable of being ſettled on the South and weſt ſides of the Bay, the Climate there within Land being as mild as the Countries in *Europe* in the ſame Latitude, that is, from the Latitude of *Peterſburg* and *Bergen* in

Norway in 60° to the Southward of the Latitude of *London* in 51° 30′

That your Petitioners are willing and deſirous to uſe their utmoſt Endeavours to extend the *Britiſh* Trade and Navigation by promoting the Settlement of theſe Inland Countries, by civilizing, converting and making Friendſhip with the Natives, and by puſhing on Diſcoveries, as well over Land as by Sea, to the Weſtern Ocean of *America*; but which they cannot attempt with any Proſpect of Succeſs, whilſt the ſaid Company are in Poſſeſſion of their preſent Charter. For notwithſtanding the Illegality of the excluſive Trade thereby granted to the Company, and the Right your Petitioners may have notwithſtanding to carry on the ſame Trade which the Company now carries on, and to have the uſe of any of the Ports, Rivers, or Seas included in their Charter, or to the Protection of their preſent Settlements there, yet it is a Fact very notorious, and which your Petitioners are ready to make appear in the cleareſt and fulleſt Manner, that the ſaid Company being intereſted to defeat and prevent all Attempts for the ſaid Purpoſes, have obſtructed your Petitioners and others concerned in the two late Attempts for Diſcovery of the ſaid Paſſage, and denied them the Uſe or Protection of their Settlements.

Beſides all which your Petitioners humbly beg leave to repreſent that it will be abſolutely impracticable for your Petitioners to carry on and extend the Peltry or any other Trade in theſe Parts, without having Settlements and

Land Factories, which your Petitioners cannot erect unleſs they have Lands granted and ſecured to them for that Purpoſe.

Therefore, and in conſideration of the Premiſſes, and as this is a Matter of Publick and National Concern, and as this Honourable Houſe has always been ready to retrieve, extend, and protect the *Britiſh* Trade and Commerce from all illegal, prejudicial, and excluſive Grants and Monopolies.

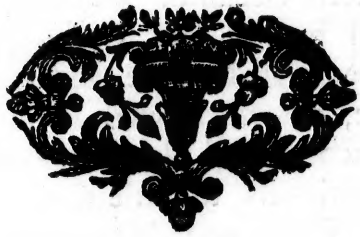
Your Petitioners moſt humbly pray this Honourable Houſe to take the State and Condition of the ſaid Trade to *Hudſon*'s Bay and the Countries adjoining into their Conſideration, and take ſuch Methods as ſhall be effectual for laying open the ſaid Trade, and for veſting Powers in his Majeſty to incorporate your Petitioners, and their Aſſociates, and to grant to them and their Succeſſors for ever the Property of all the Lands in the Countries between *Hudſon*'s Streights, and the South Sea or Weſtern Ocean of *America*, not already occupied by the ſaid Company, which your Petitioners ſhall ſettle and plant in a limited Time, or which your Petitioners ſhall hereafter diſcover and plant, in order to enable your Petitioners to ſettle thoſe Countries, extend the Trade and Navigation of *Great Britain*, and to aſcertain the ſaid North-weſt Paſſage, as to this Honourable Houſe ſhall ſeem meet; or that this Honourable Houſe will pleaſe to take ſuch other Methods as they ſhall judge moſt proper for attaining theſe

Great

Great National Ends and Purpoſes, and for the giving your Petitioners all ſuch Encouragement as the Nature of the Undertaking ſhall in the Judgment of this Honourable Houſe deſerve and require,

And your Petitioner ſhall ever pray.

F I N I S.



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